

OBJECTIONS TO SONNENFELDT
CONFIRMATION MUST BE ANSWERED—PART XI

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 1973

Mr. ASHBROOK. Mr. Speaker, starting on May 23 of this year, I inserted in the RECORD documents, newspaper articles, letters, and commentary on the case of Helmut Sonnenfeldt, whose nomination as Under Secretary of Treasury has now been reported out by the Senate Finance Committee. The House Internal Security Committee has scheduled hearings for November 7 on the Federal civilian employee loyalty-security program which may have bearing on the Sonnenfeldt case.

In this connection, Mr. John Hemenway, who testified against the nomination of Mr. Sonnenfeldt, has written the Department of Justice calling for an investigation into the possible violation by Mr. Sonnenfeldt of criminal statutes including perjury. He also has informed Senator MANSFIELD of his communication to the Acting Attorney General.

In addition, I have written to Acting Attorney General Bork regarding the identity of the FBI agent who interviewed Mr. Stephen Koczak on the Sonnenfeldt case in 1959 concerning the alleged leaking of highly classified information to a foreign power.

I insert at this point the press release I am issuing on the need for strict implementation of regulations concerning the reliability and good conduct of Federal employees to prevent future Watergates at all Government levels. Also inserted is a copy of my letter to the Acting Attorney General along with the letters from Mr. Hemenway to Mr. Bork and Senator MANSFIELD:

NEWS RELEASE FROM REPRESENTATIVE
JOHN M. ASHBROOK

Congressman John M. Ashbrook (R-Ohio) ranking minority Member of the House Internal Security Committee announced today that hearings on the Federal Civilian Employees Loyalty-Security Program will be continued on Wednesday, November 7. The principal witness that day will be Stephen A. Koczak who has already provided testimony to the Senate Finance Committee in connection with hearings on the nomination of Helmut Sonnenfeldt as Under Secretary of Treasury.

Ashbrook has written to Acting Attorney General Robert H. Bork asking the Department of Justice to identify the FBI agent who interviewed Koczak in 1959 in connection with the Sonnenfeldt case. According to

Koczak this agent subsequently stated that the Department of Justice had been prepared to prosecute Sonnenfeldt but had been frustrated by the State Department refusal to declassify the telegrams and make them available to the prosecutor as evidence.

The purpose of the Committee hearings is to examine the existing security and suitability procedures in the Federal government and to propose such legislative reforms as may appear necessary. The Committee is currently considering HR 8865 which would establish a Central Security Review Office for the coordination of loyalty and security programs administered by Federal executive agencies.

The Sonnenfeldt case is only one of a number of cases under study by the House Internal Security Committee.

Cong. Ashbrook stated that "one of the issues in the Sonnenfeldt case concerns the peculiar circumstance that so many facts are still a matter of unresolved controversy. I am most disturbed that relevant security information at the FBI, CIA and the State Department appear to have been withheld from the Congress and from responsible officers in the Executive Department. If Executive Order 10450, which seeks to provide reliable, trustworthy employees in Federal employment, public servants of good conduct and character, is to be nothing more than a joke and a fraud, strict observance of the Order's requirements and restrictions must be employed. If nothing else, the Watergate case demonstrates this."

CONGRESS OF THE UNITED STATES,
Washington, D.C., November 1, 1971.

HON. ROBERT H. BORK,
Acting Attorney General,
Justice Department Building,
Washington, D.C.

DEAR MR. BORK: Enclosed is a copy of my letter of October 10 to the FBI which Director Kelley informs me has been referred to the Justice Department for action. As Mr. Koczak is scheduled to appear before the House Internal Security Committee on Wednesday, November 7, I would appreciate receiving by Monday, November 5, a reply as to the identity of the agent involved in the Sonnenfeldt case.

Also enclosed are two replies from the then Acting Director of the FBI, Mr. Ruckelshaus, one of which confirms that Mr. Koczak was interviewed by an FBI agent in 1959 on the Sonnenfeldt case. The other letter, that of May 29, 1973, indicates that over a year transpired before I received an answer to my initial inquiry concerning this case.

Your consideration of this matter will be, needless to say, much appreciated.

Sincerely,

JOHN M. ASHBROOK,
Representative to Congress, 17th District.

WASHINGTON, D.C.,
November 1, 1973.

HON. MICHAEL J. MANSFIELD,
Majority Leader of the Senate,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MANSFIELD: As you know, the nomination of Mr. Helmut Sonnenfeldt, to be Under Secretary of the Treasury, was reported out of the Finance Committee for Senate action. Public hearings were held on May 13, October 1, and October 2, 1973.

The confirmation hearings have been protracted. However, I have evidence that several key witnesses were not called. Thus, the evidence and/or information available to Senator Long and the Finance Committee is incomplete. This makes possible a cover-up of Mr. Sonnenfeldt's past activities. For example, clear evidence suggestive of perjury exists.

As a result, in the Senate confirmation hearings expected to vote on this important matter, therefore, is incomplete. How can

any official, even a U.S. senator, vote intelligently when he has only partial information? If nothing else—the question of other criminal actions notwithstanding—the issue of perjury remains unsettled.

Mr. Sonnenfeldt will handle matters involving billions of dollars; he will be the senior U.S. official charged with checking on the financial implications of the judgements of his personal friend, mentor, and protector, Secretary of State Kissinger, regarding credits involved in East-West trade, special financial arrangements facilitating the so-called "detente" policy of Mr. Kissinger, and other sensitive matters of lasting importance to this nation, such as peace in the Middle East. American taxpayers will have to fund any errors of judgement made by the Treasury Dept.

For this reason, today I wrote a letter to the Acting Attorney General with a view toward possible prosecution of any party established by the hearing testimony to have violated criminal statutes. Mr. Sonnenfeldt may be such a person. A similar letter was directed to the United States Attorney for the District of Columbia today for action.

Recent revelations that high administration officials may have committed perjury has attracted much attention in the Senate. Have we reached such a curious state of morality that, while attention of individual senators is fixed on certain other "perjuries", the U.S. Senate as a body can confirm to a high position a nominee whose confirmation hearing transcript indicates a great deal of evidence that perjury has been committed?

Sincerely yours,

JOHN D. HEMENWAY.

WASHINGTON, D.C.,
November 1, 1973.

HON. ROBERT H. BORK,
Acting Attorney General of the United States,
U.S. Department of Justice, Washington,
D.C.

DEAR GENERAL BORK: The purpose of this letter is to report to you the violation of criminal statutes of the United States including, but not limited to the crime of perjury. I am reporting this matter to you because I understand you are currently the senior official in the U.S. Government charged with the enforcement of federal statutes.

Specifically, Mr. Helmut Sonnenfeldt, an employee of the U.S. Department of State and NSC, stands accused of "leaking" highly classified information to foreign agents with whom he had frequent and close associations and to other persons. These charges were made in the public record before the Senate Finance Committee on May 15, October 1, and October 2, 1973. They were reported, somewhat inaccurately, in the press. The charges were specific, capable of being decisively proved or disproved, and were made under oath by a number of responsible citizens including Mr. Otto Otepka, retired member of the Subversive Activities Control Board and Mr. Stephen Koczak, retired US diplomat who currently holds a responsible position with the AFGE of the AFL-CIO. Many corroborating witnesses are available and have been named in the record.

Mr. Sonnenfeldt has denied the charges under oath. At the very least the crime of perjury may well have been committed. In pre-published form, the Hearing Transcript amounts to slightly more than 250 pages. The transcript is available and part of the public record. Senator Russell Long, Chairman of the Finance Committee of the Senate, can supply you with a copy. I understand that the record is being published today.

Highlights of the testimony on Helmut Sonnenfeldt include the following:

Mr. Stephen Koczak charged Mr. Helmut Sonnenfeldt with giving highly classified information to agents of the State of Israel.

TO:

		ACTION	INFO.			ACTION	INFO.
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2	DDCI			12	D/PPB		
3	DDS&T			13	SAVA		
4	DDI			14	ASST/DCI		
5	DDO			15	AO/DCI		
6	DDM&S			16	EX/SEC		
7	D/DCI/IC			17			
8	D/ONE			18			
9	GC			19			
10	LC	✓		20			

SUSPENSE

Date

Remarks:

I signed, but
should other exemptions
be added for the
Community - eg
NSA DIA etc?

Q

USE ONLY

CONFIDENTIAL

SECRET

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

Legislative Counsel

EXTENSION

6136/
9227

NO.

DATE

2 November 1973

TO: (Officer designation, room number, and building)

DATE

RECEIVED

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OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. [REDACTED]

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Attached is an excerpt from the Congressional Record of 1 November 1973, in which Representative John Ashbrook announced that hearings will begin on Wednesday, 7 November on the Sonnenfeldt case. Stephen Koczak is to be the first witness. Ashbrook is the Ranking Republican member of the Internal Security Committee.

The Agency's position on H. R. 8865 is now before Mr. Colby for final approval before submission to the Office of Management and Budget.

[REDACTED]
Assistant Legislative Counsel

Att.

STATINTL

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ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM: Legislative Counsel

EXTENSION
6121

NO. OLC 73-0794/a

DATE 31 October 1973

TO: (Officer designation, room number, and building)

DATE

RECEIVED

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OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. OGC

10/31/73

11/1/73

[Signature]

2. DDM&S

[Signature]

3. ER

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OCT 1973

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5. The Director

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Attached for your signature is a suggested reply to a request from the House Committee on Internal Security for our views on H. R. 8865, which establishes a Central Review Office for the coordination of loyalty and security programs administered by Federal agencies. The bill would raise serious conflicts with your statutory responsibilities for the administration of the Agency's personnel security program. Accordingly, an exemption for the Agency is requested.

The letter has been coordinated with the DDM&S and OGC. When you have signed the letter, we will submit the package to OMB for clearance.

[REDACTED]

STATINTL

John M. Maury
Legislative Counsel

Att.

ER: DO NOT DATE LETTER!!